

# General Order

## Houston Police Department



ISSUE DATE:

October 4, 2019

NO.

500-02

**REFERENCE:** Supersedes all prior conflicting Circulars and Directives, and General Order 500-02, dated September 22, 2016

**SUBJECT: HANDLING AND TRANSPORTING PRISONERS AND OTHER PERSONS**

### POLICY

While handling or transporting prisoners or other persons, employees shall treat all persons with dignity and respect and shall follow the procedures outlined in this General Order.

This General Order applies to all employees.

### **1 SAFETY AND SECURITY OF PRISONERS**

When a person is taken into custody, employees are responsible for that person's safety. Employees shall be cognizant of the well-being of all prisoners and shall respond appropriately if prisoners are in danger, whether intentionally or unintentionally.

Employees observing circumstances believed to be an immediate threat of serious injury or death to a prisoner (including those in the custody of another employee) shall do all of the following:

- a. Take custody of the prisoner.
- b. Take the appropriate actions necessary to prevent injury to the prisoner.
- c. Immediately notify a supervisor.
- d. Submit a written report of the incident to the Chief of Police through the chain of command.

In these circumstances, the arresting officer is still responsible for submitting the incident report related to the original arrest.

All persons under arrest shall be properly handcuffed behind the back prior to being thoroughly searched and shall remain handcuffed while being transported in a police vehicle. If a medical or specific physical condition precludes handcuffing behind the back, the prisoner shall be secured in the safest possible manner before being placed in a police vehicle. Multiple prisoners transported in a prisoner van may be secured by a multiple prisoner transport chain.

Employees shall not place or leave objects capable of inflicting injury or death in a location accessible to a prisoner or suspect. Employees shall thoroughly check areas intended to house a suspect or prisoner prior to placing the person in that area (e.g., police vehicles, holding cells, offices, and interview rooms).

All police vehicles shall be thoroughly searched immediately following the transportation of a prisoner, suspect, or other citizen.

Traffic stops shall not be conducted while transporting prisoners unless a violator's actions pose an immediate threat to public safety and no other officer is available to stop the vehicle. Officers shall make every effort to follow the vehicle until another officer arrives. If no other officer is available, the officer should stop the vehicle, taking into consideration the totality of the circumstances of the situation, and follow the procedures for leaving a prisoner unattended in a life-threatening situation.

Prisoners shall not be left unattended in police vehicles unless employees can maintain visual contact of the prisoner. The only exception to this policy is if an officer is responding to a life-threatening situation and must immediately exit the police vehicle. Under this circumstance, officers shall notify the dispatcher as soon as possible of their situation and the location of their police vehicle so another officer can be dispatched to assist and take custody of the prisoner. When abandoning their police vehicle in response to a life-threatening situation, officers shall take the vehicle's keys with them.

## **2 HEALTH OF PRISONERS**

When handling or transporting prisoners, officers shall be conscientious of prisoners who need immediate medical attention or have known medical issues. For prisoners experiencing serious or life-threatening medical conditions and depending on circumstances, officers shall either transport the prisoner or have an ambulance transport the prisoner to the hospital to receive medical attention. Officers shall follow the procedures outlined in section 4 of this General Order.

Prisoners who received medical assistance on scene or at a hospital and have been released by medical personnel shall be taken to jail. The officer shall inform jail personnel of the prisoner's medical issues upon arrival at the jail. Officers shall document the prisoner's physical condition in the incident report along with details of the officer's actions.

## **3 TRANSPORTING PRISONERS OR OTHER PERSONS**

Whenever possible, prisoners shall be transported in vehicles with protective screens. Employees shall transport only as many persons as can be safely carried at one time in a police vehicle. Employees shall ensure that the number of persons being transported does not exceed the number of functioning seat restraints in the police vehicle. Vehicles shall not be placed in motion until the driver and all passengers have been fastened in their seat restraints.

The below listed persons shall be transported in separate vehicles, unless the persons have been arrested as a result of the same incident or the transporting vehicle is a prisoner van or bus equipped with multiple, separate, and secure holding compartments.

- a. Adult and juvenile prisoners.
- b. Prisoners of the opposite gender or gender identity.
- c. Prisoners and persons who are not under arrest (except as noted below).

Employees shall not transport a domestic violence suspect and victim in the same vehicle at the same time.

A person who is not under arrest shall not be transported with a prisoner unless it is hazardous to leave the person at the scene. A person who is not arrested shall not be left in an area of potential danger and shall not be left on the side of a freeway. Another police officer may be called to transport a non-prisoner away from a dangerous area. Any person being placed in a police vehicle is subject to a weapons search.

### **Transporting Notification**

When transporting a person, employees who have access to a mobile computing device (MCD) shall document all of the following information utilizing their MCD:

- a. Origin and destination of the transport.
- b. Gender or gender identity of the person being transported (e.g., if the suspect identifies as a male then the officer shall enter "male" in the message to the dispatcher regardless of what is displayed on the prisoner's identification).

Employees who do not have access to an MCD and who conduct an on-view investigation that requires a person to be transported shall notify the dispatcher that they do not have MCD access and shall provide the above listed information to the dispatcher. The dispatcher shall enter the information into the computer aided dispatch (CAD) event.

The ethnicity of the person being transported shall not be broadcast. The dispatcher shall provide time checks on departure and arrival. All transports shall be made via the safest, most direct route.

### **Transporting Persons with a Physical Disability**

Employees shall exercise due care in transporting persons who are physically disabled or who require special equipment. Wheelchairs, crutches, prostheses, and other necessary medical equipment shall be transported with the person.

When transporting a person aided by a mobility device (e.g., wheelchair, walker, or crutches), a supervisor shall be called to the scene. The supervisor shall determine the most appropriate means of transporting the person (e.g., using a patrol vehicle or calling for a paratransit vehicle). At no time shall a person with a mobility limitation be transported in the rear of a transport van. The supervisor shall remain on the scene to monitor the loading of the person.

Information as to the method of transport shall be documented in the call history and incident report if generated.

### **Transporting Violent Prisoners or Persons Exhibiting Signs of Being in a Mental Health Crisis**

When transporting a violent prisoner or a person exhibiting signs of being in a mental health crisis, officers shall use approved restraints to ensure their safety and that of the person, remaining mindful that persons in crises can be very unpredictable. Employees are expected to use sound judgment in deciding on the type and amount of physical restraint to be used and on the most appropriate mode of transporting such a person.

See General Order 500-01, **Effecting Arrests and Searches**, for additional information and policies regarding positional asphyxia, use of spit masks, and the interlocking technique. Also see General Order 500-12, **Handling Persons Exhibiting Mental Health Crisis**.

#### **4 TRANSPORTING PRISONERS TO MEDICAL FACILITIES**

Employees transporting a prisoner or having a prisoner transported by ambulance to a medical facility for treatment shall assist the admission clerk in acquiring the necessary information from the prisoner. This information shall include the prisoner's:

- a. Name and date of birth
- b. Address or last known address for billing purposes (not an HPD or City of Houston address)
- c. Telephone number at which the prisoner can be contacted
- d. Emergency contact information, if known
- e. In-custody status

At least one officer shall ride in the ambulance transporting a prisoner to a medical facility if any of the following situations exist:

- f. The prisoner is suspected of a felony
- g. The prisoner is violent or combative
- h. The officer's presence is requested by ambulance personnel

When the prisoner has been treated and released from the hospital, the officer assigned to the prisoner shall acquire the prisoner's medical release paperwork and immediately transport the prisoner to jail.

If the officer is informed that the medical treatment of the prisoner will extend past the officer's shift, the officer shall contact the roll call sergeant and provide the prisoner's identifying and arrest information, condition, and location. The shift commander shall review and evaluate the circumstances surrounding a prisoner's hospitalization to determine whether the prisoner should be guarded (see General Order 500-03, **Guarding Prisoners at Area Hospitals**).

#### **5 TRANSPORTING PRISONERS CONSIDERED SECURITY RISKS TO COURT**

If an officer is required to transport a prisoner who is violent or a security risk to court, the transporting officer shall notify the court of the nature of the situation.



**Art Acevedo**  
**Chief of Police**